

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 1:07cr6-4

SAMANTHA LORETTA,
Defendant.

ORDER/OPINION

On the 2nd day of May 2007, came the United States of America by Zelda E. Wesley, Assistant United States Attorney, and also came the defendant, Samantha Loretta, in person, and by her counsel, S. Sean Murphy, for hearing on a Petition for Action on Conditions of Pretrial Release filed by Stacey M. Claxton, Defendant's Adult Pretrial Services Officer, on April 25, 2007, and an Amended Petition filed on May 2, 2007. The Amended Petition added a fourth violation to the Petition. The Court will therefore refer to the Amended Petition.

On February 22, 2007, Defendant Samantha Loretta was released on conditions set by Order of this Court. On April 25, 2007, Defendant's Adult Pretrial Services Officer filed a Petition for Action on Conditions of Pretrial Release and on May 2, 2007, filed an Amended Petition for Action on Conditions of Pretrial Release alleging Defendant had violated conditions 7(p) and 7(r).

Prior to the taking of evidence, Defendant waived the hearing, admitting that she violated her conditions of release as alleged in 1, 2, 3, and 4 of the Amended Petition for Action on Conditions of Pretrial Release. From a colloquy with Defendant the Court concludes that Defendant's waiver of hearing and her admission that she violated the conditions of her release as alleged in the Amended Petition for Action on Conditions of Pretrial Release was made

knowingly and voluntarily.

Based on Defendant's admission, the Court concludes that Defendant, Samantha Loretta, violated her conditions of pretrial release as alleged in the Amended Petition filed May 2, 2007.

Defendant requested, through counsel, that she be permitted to attend inpatient drug and psychiatric/psychological treatment. Upon consideration of which, the Court stated that if and when a bed became available in a secure inpatient facility, the Court would consider a motion to release Defendant to that facility. Pending any such motion, it is **ORDERED** that:

1. Defendant be **REMANDED** to the custody of the United States Marshal pending further proceedings in this case;
2. Defendant be confined in a facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
3. Defendant be afforded a reasonable opportunity for private consultation with defense counsel;
4. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which Defendant is confined shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding; and
5. The Clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Probation Officer.

DATED: May **7**, 2007



JOHN S. KAULL
UNITED STATES MAGISTRATE JUDGE